

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: THE BANK OF NEW YORK
MELLON ADR FX LITIGATION

No. 16-CV-00212-JPO-JLC

DECLARATION OF FRANK R. SCHIRRIPIA

I, Frank R. Schirripa, declare as follows:

1. I am an attorney duly authorized practice law in the State of New York and in this Court. I am a partner of the law firm of Hach Rose Schirripa & Cheverie LLP, counsel for Plaintiff International Union of Operating Engineers Local 138 Annuity Trust Fund ("Local 138"), individually and on behalf of all others similarly situated ("Plaintiff"). I am familiar with the facts of the above-captioned case.

2. Attached hereto as Exhibit A is a true and correct copy of Local 138's Merrill Lynch account statement, generated on June 14, 2018, which reflects that as of the date of the filing, Local 138 held a long position of 3,650 GlaxoSmithKline ADRs.

3. The undersigned counsel is contemporaneously producing a copy of Exhibit A to counsel for The Bank of New York Mellon.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and that this declaration was executed in New York, New York on June 19, 2018.

A handwritten signature in black ink, appearing to read 'F. Schirripa', is written over a horizontal line.

Frank R. Schirripa

Exhibit A

Position Detail-Equity



| GLAXOSMITHKLINE PLC ADR (GSK) | | | |
|-------------------------------|-------------------------|---------------------------------------|------------------|
| Symbol | GSK | Quantity | 3,650 |
| ML Security # | 312G8 | Total Value {As of 06/14/2018 14:29} | 152,533.50 |
| CUSIP | 37733W105 | Market Price {As of 06/14/2018 14:29} | 41.790 (0.650) ▲ |
| Exchange | New York Stock Exchange | Held Since | 04/09/2018 |
| Asset Class | International Equities | Unrealized Gain/Loss | |
| Size & Style | International Equity | Short Term | 5,488.25 |
| Sector | Health Care | Long Term | 0.00 |
| Industry | Pharmaceuticals | | |

| Open Lots | | | | | | | | | As of 06/14/2018 14:29 |
|--------------------------------|----------|-----------|------------|--------|------------------|---------|-----------|--------|------------------------|
| Account Number | Quantity | Unit Cost | Cost Basis | Price | Accrued Interest | Value | Gain/Loss | G/L(%) | |
| 839-04L08 "EATON VANCE LG CAP" | 3,650 | 40.286 | 147,045 | 41.790 | -- | 152,534 | 5,488 | 3.73 | |
| Acquisition Date | Quantity | Unit Cost | Cost Basis | Price | | Value | Gain/Loss | G/L(%) | |
| 05/29/2018 {Short} | 1,183 | 39.795 | 47,078 | 41.790 | | 49,438 | 2,360 | 5.01 | |
| 04/09/2018 {Short} | 2,467 | 40.522 | 99,968 | 41.790 | | 103,096 | 3,128 | 3.13 | |

*Accrued Interest is not included in the unrealized gain/loss calculations. Therefore, the market value does not include accrued interest.

| Closed Lots | | | | | | | | |
|--------------------------------|------------------|------------------|--------------------|------------------|-------------------|--------------------|-----------|----------|
| Account Number | Quantity | Acquisition Cost | Liquidation Amount | ShortTerm | LongTerm | | | |
| 839-04L08 "EATON VANCE LG CAP" | 2,625 | 112,767.64 | 122,728.36 | 1,260.73 | 8,699.99 | | | |
| Acquisition Date | Liquidation Date | Quantity | Acquisition Price | Acquisition Cost | Liquidation Price | Liquidation Amount | ShortTerm | LongTerm |
| 07/14/2011 | 09/25/2012 | 2,076 | 42.959 | 89,183.09 | 47.151 | 97,883.08 | -- | 8,699.99 |
| 07/14/2011 | 10/31/2011 | 549 | 42.959 | 23,584.55 | 45.256 | 24,845.28 | 1,260.73 | -- |

| Position Characteristics | | | |
|--------------------------|------------|--------------------|------------------|
| 839-04L08 (TMA) | | | |
| Settled Quantity | 3,650.00 | Unsettled Quantity | 0.00 |
| Long/Short | Long | Management | Managed Strategy |
| Last Activity | 05/31/2018 | Cash/Margin | Cash |

| Fundamentals | |
|-----------------|---------------|
| Previous Close: | 41.14 |
| 52 Week range: | 34.52 - 44.44 |

Accounts included in this report: 839-04L08 (TMA) EATON VANCE LG CAP

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Position Detail-Equity

| | | |
|------------------------|-------|--|
| Price/Earnings: | 73.97 | |
|------------------------|-------|--|

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